



## PEACE BRIGADES INTERNATIONAL – GUATEMALAN PROJECT

### MIP - MONTHLY INFORMATION PACKAGE - GUATEMALA

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1. NOTES ON THE CURRENT SITUATION
2. ACTIVITIES OF PBI GUATEMALA: WITHIN GUATEMALA
  - 2.1 DIALOGUE WITH GUATEMALAN AUTHORITIES AND THE DIPLOMATIC CORPS
  - 2.2 MEETINGS WITH CIVIL SOCIETY ORGANISATIONS
  - 2.3 ACCOMPANIMENT
  - 2.4 FOLLOW-UP
  - 2.5 OBSERVATION
3. ACTIVITIES OF PBI GUATEMALA: OUTSIDE GUATEMALA
4. NON-GOVERNMENTAL ORGANISATIONS

### 1. NOTES ON THE CURRENT SITUATION

#### CELEBRATION OF THIRD SOCIAL FORUM OF THE AMERICAS IN GUATEMALA CITY



Guatemala, 13.10.2008 (CEG) – A Mayan ceremony opened the Third Social Forum of the Americas at the campus of the University of San Carlos (USAC) October 7. Thousands of delegates from world social and popular organisations expressed their visions and demands for achieving an America with greater health and solidarity. The Forum lasted until October 12 when a march attended by some 10 thousand people was held for the 'Day of Resistance'. Adding their voices were organisations of *campesinos*, women, migrants and others, with delegates present from many nations, including

Nicaragua, El Salvador, Puerto Rico, Paraguay, Chile, Ecuador, Canada, Cuba and Guatemala.

In the event's inauguration, leaders from the all over the continent made speeches calling for unity among peoples, resistance, and the rejection of imperialism and all unjust policies against the rights of aboriginal communities that are pushed by rich countries. One of the demonstrations focused on the rejection of mining, and of the *Progreso* Cement company in San Juan Sacatepéquez, as well as calling for the liberation of Cubans imprisoned in the United States, and the expulsion of United States naval bases in Latin America.

The general conclusions of the participating organisations were read out in a cultural-political event in Guatemala City's Central Park. According to Daniel Pascual of the Committee for *Campesino* Unity (CUC), the conclusions demonstrated the mobilising power of the event and of the wealth of the debates held by women, indigenous peoples, *campesinos*, union organisations, non-governmental organisations, and other sectors. Pascual repeated that the forum was a success, that the presence of thousands of participants had generated great conclusions and commitments from social movements toward promoting alliances and generating cohesion among networks to address Latin America's problems. The final declaration of the Assembly of Social Movements contains the input from the participating networks and organisations in which they express their demands and positions in the face of the political and economic changes the American continent is experiencing.

#### **IMPUNITY**

##### **Ministry of Defence refuses to turn over files to SEPAZ**

Guatemala, 02.10.2008 (PL) – The Ministry of Defence has not turned over files to the Peace Secretariat (SEPAZ) for declassification as ordered by President Álvaro Colom. The Army now says that Article 30 of the Constitution prohibits it. SEPAZ director Orlando Blanco said there existed an offer from the Minister of Defence, Marco Tulio Garcia, which had not yet been realised.

##### **Cases of violence against justice officials not investigated – Myrna Mack Foundation**

Guatemala, 23.10.2008 (LH) – Human rights activist Helen Mack of the Myrna Mack Foundation presented a report, "Resurgence of Violence against Justice Officials in Guatemala", to the Inter-American Human Rights Commission, whose headquarters are in Washington, D.C., USA. The report reveals that from "2001 to the present, no case of violence against justice officials has been

resolved legally”, and that in the first semester of 2008 there had been “a resurgence of violence against justice officials”, with 65 reports of threats, attacks and harassment, among other cases, received by Public Ministry. Since July 14 there had been 76 reports from people affected by this kind of violence.

#### **US to train kaibiles for anti-terrorism**

Guatemala, 25.10.2008 (PL) – This month the memorandum of understanding took effect between the governments of the U.S. and Guatemala which provides for US Military anti-terrorism combat training for the Kaibil Special Forces. This program will run until 2013. Published in the official journal, the agreement is part of the United States military aid plan in place since 1955.

#### **CALDH presents report: In 2007, 30% of violent deaths of youths were extra-judicial**

Guatemala, 28.10.2008 (AC) – Analysis by members of the Youth Program of the Centre for Human Rights Legal Action (CALDH) reveals that 30% of the violent deaths of youths registered in 2007 were extrajudicial executions. In the past year, 3,060 youths between the ages of 14 and 29 were murdered, and 30% of the cases were filed as extrajudicial deaths, committed in the majority by security forces agents or by civil security groups. Though many of those murdered and tortured had no criminal history, the authorities maintained that they were car thieves, extortionists, or attackers. However, investigations had not confirmed police declarations, said CALDH.

#### **LAND**

##### **Security Forces evict 200 Suchitepéquez families**

Guatemala, 29.10.2008 (PL) – More than 200 families occupying lands at *La Gloria* estate in Santo Domingo, Suchitepéquez, were evicted by the National Civil Police and the army on October 28. The landowners ordered employees to destroy the occupants’ houses and crops of maize, beans, herbs and cucumbers.

##### **Executive and social sectors achieve consensus on Rural Development Law**

Guatemala, 31.10.2008 (CA) – Representatives of indigenous, union, and *campesino* sectors, cooperatives, rural small-business and the Executive, which make up the Agrarian Board established by President Álvaro Colom as part of the National Dialogue framework, reached an agreement on a proposed Rural Development Law. According to Funes, representative of the Alliance for Integrated Rural Development (ADRI), the law outlines mechanisms to bring about sustainable production models and, at the same time, seeks to improve community living conditions. The private sector did not participate in the formulation of the initiative, even though there are indications that the business owners belong to another roundtable. Carla Caballeros, executive director of the Chamber of Agriculture (CAMAGRO), assured that they had not been called to join these talks. The private sector does not share the idea of the new proposed rural development law or of the creation of a new ministry. Instead, it believes in advancing the competitive agenda given that it articulates the business sector’s vision for the country’s development policy.

#### **GLOBALISATION**

##### **Catholic Church denounces Marlin Mine contamination in San Marcos**

Guatemala 02.10.2008 (PL) – Monsignor Ramazzini, Bishop of San Marcos, presented the annual monitoring report of the San Marcos Diocese and the Peace and Ecology Pastoral Commission (COPAE) with five strategic points regarding the Marlin Mine, property of the company Montana Exploring. “The results of the study demonstrate the presence of heavy metals such as iron, aluminium, manganese, nitrate and arsenic”, the report stated. “We consider the water not to be suitable for human consumption and we are concerned that these conditions appear in the Tzalá river and the Quivichil creek, which could unleash an acid drainage,” said the Bishop. Ramazzini also confirmed that a high level of arsenic had been found in two sample locations revealing the possibility of a discharge of contaminated water in water sources.

##### **Huehuetenango residents reject mining licensing concessions**

Guatemala 24.10.2008 (PL) – Residents of 20 municipalities of Huehuetenango rejected open pit mining licensing concessions for trans-national companies, according to the Departmental Assembly in Defence of Natural Resources. This group, along with the Council of Western Villages and the Maya Waqui Kej National Convergence, affirmed that this decision had been made in community consultations that have taken place since 2006. They presented the results of the last five municipalities where these studies had taken place to Congressional delegates, the Human Rights Ombudsman, and the Ministry of Energy and Mines.

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Sources: Cerigua Agency (AC), Guatemalan Studies Centre (CEG), Diario de Centro América (CA), La Hora (LH), Prensa Libre (PL), Siglo Veintiuno (SV).

## **2. PBI-GUATEMALA ACTIVITIES – IN GUATEMALA**

**Team:** Wiebke Schramm (Germany), Jacqueline Benfield (United Kingdom), Maria Giovanna Tejido Vasquez (Spain), Caroline Tessier (Canada), Silvia Weber (Germany), Jean-Jacques Ambresin (Switzerland), Valérie Elsig (Switzerland).

## 2.1. DIALOGUE WITH GUATEMALAN AUTHORITIES AND DIPLOMATIC CORPS

Meetings with national and international authorities are an important tool for PBI's efforts to make our objectives and nature of work known. Through these meetings, in cases where it is necessary and with a reserved manner, we express concerns about critical situations that we know first hand from the work we carry out in the country.

Diplomatic Corps. We attended the following celebrations:

- Hispanic Day at the Spanish ambassador's residence
- Close of Canadian federal elections at the Canadian Embassy

Guatemalan Authorities:

- Mynor Paz, National Council of Protected Areas (CONAP), Zacapa.
- Roberto Enrique Guiñonez Días, Auxiliary of the Human Rights Ombudsman's Office (PDH), Cobán.
- Fabio Eduardo Caal Tot, Land Fund (FONTIERRA), Cobán.
- Byron Juventino Chacón Ardón, President of the Congressional Housing Commission.
- Edin Emilio Montufo, National Forest Institute (INAB), Zacapa.
- Erik Rolando Esquivel Cepeda, National Civil Police (PNC), Zacapa.
- Edgar Orellana, Mayor of Zacapa, Zacapa.
- Mayra Roxsana Sandoval, Auxiliary of the PDH, Zacapa.
- Rudy Otoniel Gardona Chávez, Governor of Huehuetenango.
- Lucas Recino, PNC, Huehuetenango.
- Byron Herrera Medida, Presidential Human Rights Commission (COPREDH), Huehuetenango.

## 2.2. MEETINGS WITH CIVIL SOCIETY ORGANISATIONS

The in-country team periodically meets with civil society organisations in order to follow up on the situation of human rights defence workers, to inform one another about the work being done, and to obtain useful elements for the internal contextual analysis.

Organisations and individuals from Guatemalan Civil Society:

- Maritza Velásquez Estrada, Association of Housekeepers and Domestic and Factory Workers (ATRAHDOM).
- Sandra Morán, Women's Sector.
- David Morales, Guatemalan Union of Workers of the Food and Agriculture Industries and Similar (FESTRAS).
- Mario Cabrera, CEIBA, Huehuetenango
- Javier Zavala, Guatemalan Human Rights Defense Workers Protection Agency (UDEFEFUGA)
- Shený Godínez, Sitrachoi/FESTRAS
- José Cruz, Madre Selva
- Diego Merino, American Jewish World Service

International Organisations and Agencies:

- Coordination of International Accompaniment in Guatemala (CAIG), Guatemala City.
- Human Rights Commission of the Forum of International Non-governmental Organisations (FONGI), Guatemala City.
- Pernilla Franklin, Swedish Movement for Reconciliation (SweFOR), Guatemala City.

## 2.3 ACCOMPANIMENT

**Centre for Human Rights Legal Action (CALDH).** Since February 2007, we have accompanied **José Roberto Morales Sic**, Indigenous Peoples' Rights Program Coordinator-CALDH. In October, we continued accompanying him in his journeys between his home and office.

*Background: Since 1994 CALDH has had its headquarters in the capital, where it receives reports of Human Rights violations and directs investigations into the cases. The institution provides counseling, accompaniment and training to organisations, groups and communities. One of its main areas of work is promoting justice in genocide cases, and other crimes committed during the internal armed conflict. We have accompanied CALDH on various occasions between 2004 and 2006. In February 2007, members of the legal team received direct threats. José Roberto Morales Sic was the victim of a kidnapping on 2<sup>nd</sup> February. Two armed men kidnapped him in his car and threatened to kill him. He was later*

released and the CALDH vehicle recovered with all his belongings present including personal documents, cheques and a laptop, which belonged to the organization.

**Verapaz Union of Peasant Organisations, UVOC.** We have accompanied **Carlos Morales**, leader of UVOC and other members of the organization since May 13, 2005. In October, we have maintained contact with the leaders of UVOC during their visits to the capital, during the FSA, and through visits to the negotiation roundtables in Cobán and to its office in Santa Cruz, Alta Verapaz. We continue to be concerned for the security situation for the organisation's members, who continue to notice surveillance of their activities and around its headquarters.

*Background: UVOC is a campesino organisation in the Verapaces (the departments of Alta and Baja Verapaz) and works principally on access to land for campesinos and providing support in the process of legalisation of the communities' titles to land. UVOC also offers training for communities affiliated with UVOC and supports development projects within those communities. Like some other members of CNOC, UVOC recently was named coordinating organization for the next two years.*

*Carlos Morales, leader of the UVOC, has been a victim of death threats, acts of intimidation, and persecution by unknown individuals. Due to a serious increase of personal death threats at the end of April 2005, which led to a genuine fear for his life, Carlos Morales was forced into hiding in Guatemala City for a month, which was made possible with the support of the Human Rights Ombudsman (PDH). Following this, he requested 24-hour accompaniment from Peace Brigades. In January 2006, Carlos Morales was victim of surveillance on the block where he lives with his family.*

*The situation in some communities affiliated with UVOC continues to be delicate: In February and April 2006, the peasant families that live on La Moca Estate were evicted violently, leaving several people with gunshot wounds, and in July there was a confrontation between two groups of peasants leaving two dead and thirty nine of the evicted peasants injured. The peasants of 'La Moca' continue to live on the sides of the road while they negotiate with the two owners of the estate and the authorities in the national negotiation table for the resolution of agrarian conflicts, in order to find a place to live. The case has been deemed urgent for the situation of extreme poverty in which the families live.*

**Association of Friends of Lake Izabal, ASALI**, located in El Estor, Department of Izabal. On February 21, 2004, we began to accompany **Eloyda Mejía**, president of the association, when threats against her worsened. We have accompanied Eloyda and other members of the association in their activities and coordination and training meetings with communities opposed to mining activities in the department of Izabal. During the month of October, PBI maintained contact with Eloyda especially during the FSA.

*Background: ASALI is concerned about the negative effects of mining activity in the region of El Estor, Izabal and also by the extensive agricultural use of the cultivation of fruit and the production of biofuels such as sugar and African palm. The companies active in the region are the Guatemalan Nickel Company (CGN), which is a subsidiary of the Canadian company Skye Resources Inc. recently acquired by HudBay Minerals Inc., MayaNiquel and Nicromet, with majority shareholders BHP Billington of the United Kingdom.*

*Eloyda Mejía has suffered a number of threats as a result of her work. On 21<sup>st</sup> February 2004, during a conference on the future of the lake in El Estor, Izabal, she received yet more serious threats, which she reported to the Public Prosecutor's Office (MP) and the Human Rights Ombudsman's Office (PDH). In February 2006 Eloyda Mejía's restaurant wall was graffitied with the words "Yes to CGN" (Guatemalan Nickel Company)." Since late 2006 Eloyda Mejía has had to deal with a legal process accusing her of usurping lands. This legal action is seen by her as a form of persecution and intimidation intended to force her to abandon her work against the mining company CGN in El Estor. In the months of January and February 2007 we accompanied Eloyda and ASALI during a worsening of the situation in El Estor, after a tense situation arose between groups of campesinos that had occupied lands, CGN and state actors who wished to remove them. In October 2007, Eloyda Mejía received a threatening letter that mentioned her and other active members of civil society organizations in Izabal as 'personas non gratas' in the town of El Estor and as enemies of the town and the State. The letter mentioned that the law of "an eye for an eye and a tooth for a tooth" would be applied.*

**National Coordinator of Guatemalan Widows, CONAVIGUA.** Since August 2003 we periodically have accompanied the association with visits to their offices and to their exhumations and burials in rural clandestine cemeteries. After seeing an increase in surveillance since December 2006, we regularly have visited the organisation's headquarters in the capital as we continued to do in October.

*Background: CONAVIGUA continues to facilitate the process of exhumations and burials in various departments throughout Guatemala, mostly in Quiché, Chimaltenango, and the Verapaces, as part of their efforts for the recuperation of the collective memory of Guatemala's recent history. This process provokes tense situations in these small rural communities between victims and perpetrators, and the women of CONAVIGUA receive threats and intimidation to stop them from continuing this work.*

**Peasant Workers Movement, MTC**, of the department of San Marcos. In particular, we have accompanied **Julio Archila**, co-founder of the MTC in his consulting work with communities and during the judicial process against him. In October 2008, we maintained regular contact with Julio through telephone conversations, visits to El Rodeo, and meetings in the capital.

*Background: MTC is made up of peasant community associations that work in defense of their labour rights. Since the beginning of November 2005, Julio Archila, founding member of the MTC, has suffered various forms of intimidation and threats directed against him and his family. According to the MTC, his security problems are related to consultation he offers to peasants engaged in protest on the Las Delicias estate, San Marcos. On November 4, 2005, PNC officials arrested Julio, accusing him of stealing coffee. He was brought before a judge and freed since no proof of the accusation was found. Nevertheless, the accusation of the owners of the estate continued in force until finally, on 15<sup>th</sup> November 2007, the Las Delicias peasants came to an agreement with the estate's owners, who agreed to pay them 500,000 quetzals. The owners also agreed to drop the charges against Julio Archilla and his son. After further negotiations and setbacks, the peasants were able to buy a new estate in January 2008. The case against Julio Archila and his son was finally suspended in August 2008 after three cancellations of the hearing by the judge at the last moment, unnecessarily prolonging the case.*

**Organisation to Support Integrated Sexuality to Confront AIDS, OASIS.** Since the beginning of 2006, we have been accompanying in particular **Zulma**, member of OASIS and witness in a case of assassination of a sex worker. This October, while Jorge and Zulma travelled to Europe on a tour organized by PBI in coordination with national groups, we continued visiting the OASIS offices.

*Background: OASIS is an organisation that works on HIV/AIDS education and prevention, and promotion and protection of rights of gays, lesbians, bisexuals, and transgender persons. On December 17, 2005, Paulina, a transgender worker was killed, the seventh murder of a transgender worker that year. Zulma was present when the crime was committed, and was seriously injured during the incident. She is a witness to the murder of Paulina, accusing members of the National Civil Police (PNC) of the killing. OASIS reported the case to the Public Prosecutor's Office (MP) in order to obtain justice for the killing, and has been awarded precautionary security measures for Zulma and the organisation by the Inter-American Human Rights Commission (CIDH). However, members of the organisation continue to be subjected to harassment and threats, and Jorge López, Executive Director of OASIS, reported that he was pursued by a police car during the night of 22<sup>nd</sup> January 2006. Given the few advances made in the case in the Guatemalan courts, OASIS wishes to bring it to the attention of the CIDH with the support of the Centre for Justice and International Law (CEJIL) and the Institute for Comparative Studies in the Penal Sciences of Guatemala (ICCPG). In the month of August 2008, the Prosecutor's Office (MP) reopened the case.*

**San Rafael Pie de la Cuesta Commission for Peaceful Resistance (CRP).** We received a request from **José Manuel Morales**, vice-president of the organisation after the commission's founding members were harassed and attacked by police during a meeting on September 15, 2007 for expressing their doubts about the construction of a hydroelectric dam planned by the municipal mayor of San Rafael Pie de la Cuesta. Since December 2007, we have accompanied CRP members in their activities. We also visited the CRP in San Marcos during October.

*Background: 15 days before the general elections of 9 September 2007 the Mayor of San Rafael Pie de la Cuesta (and current Mayor elect) declared his intention to seek the construction of a hydroelectric project during the first months of 2008, during a public audience with mayoral candidates. This hydroelectric project would be based on a previous project that never reached the construction stage and before the public meeting was not known by the local inhabitants. On September 15, the Campesino Association for Integral Development of San Rafael (ADICSR) organised a meeting with the local population in order to inform them regarding the construction plans for the hydro-electric project. The same meeting also realised the formation of the CRP in order to investigate and inform regarding the proposed project. Police officials entered the meeting and removed a man without explanation, in order to question him regarding the meeting and accusing those in attendance of planning illegal actions. Following this, the filed a denunciation with the San Marcos Bishop's Human Rights Program (PDDHS) and with the Human Rights Ombudsman (PDH). Since then, the members of CRP have suffered various threats and intimidation. In August, the CRP, as part of the Council of Western Villages, have met with representatives of the Ministry of the Environment and Natural Resources as well as with the Ministry of Energy and Mining.*

**Lesbiradas.** We began accompanying the organisation in July of this year after the daughter of one of its members, also a human rights activist, was the victim of serious direct acts of intimidation with threats against her life by different State security agents. During October, the surveillance intimidation continued, in the street as well as in front of her house. The team continues to be very attentive to their situation, accompanying and having frequent meetings with them.

*Background: The Lesbiradas collective is involved in the defense and promotion of human rights of Guatemalan lesbian women, promoting among other things, the self-determination of one's body and sexuality, for lesbians in their struggle against an exclusive, patriarchal system and particularly the discrimination and systematic violence that they face. The two women that we have been accompanying participate in various social movements, for which on three occasions in July, one of the activists was directly threatened with death at gunpoint by agents of the of the PNC on July 21, 2008. The events were denounced to the Public Ministry (MP) and to the Human Rights Ombudsman (PDH) as well as to the Human Rights Defense Workers Protection Agency (UDEFEQUA). In principal, these threats relate to the women's activism and for Lesbiradas, it is proof that a strategy of social cleansing exists in the country.*

**Association for the Protection of Montaña de las Granadillas.** Since August 2008, we have accompanied this Association from the department of Zacapa after several of its members received death threats for their work in favour of making the Montaña de las Granadillas a protected area. The threats increased again in October, and for that reason we are accompanying Association members weekly in their reforestation activities and public events.

*Background: The association was created six years ago, when a group of residents realised that the ecosystem of the mountain was in danger due to logging, monoculture, and the extreme increase in cattle-farming. It was not only the mountain that was disappearing,, they were alarmed above all by the disappearance of the water reserves, given that all of the region's water comes from the mountain's forests. The organisation sought the support of the Lutheran Church and the Madre Selva Collective. These organizations carried out an analysis of the deterioration of the area, and found that the lower part of the mountain had lost 70% of forest cover due to illegal logging and the fact that the Forestry Law is very poorly applied in the region. Now the principal objective is to protect 20-30% of the remaining forest and reforestation. The association's members want to convert the mountain into a protected area but this proposal has proven difficult and dangerous because of the economic interests that surround it. The threats began when they tried to denounce the illegal timber trade.*

## 2.4 FOLLOW UP

**Guatemalan Association of Indigenous Mayors and Authorities, (AGAAI).** Following a break-in at its offices on March 20, 2007, we have maintained contact with the Association through telephone calls and visits to its office. In October, we continued contact through telephone calls.

*Background: Carlos Guárquez has suffered various forms of threats, accusations and intimidation for his work against the Free Trade Agreement (DR-CAFTA) and mining. On March 25, 2005, in the town of El Tablón, Sololá, unknown individuals poured gasoline over and set fire to the vehicle used by Carlos Guárquez, representative of this Indigenous Municipality and of the Maya Foundation. Surrounding his vehicle, were flyers with direct death threats against Carlos, the mayor of Sololá at the time, Dominga Vásquez, and her husband, Alfonso Guárquez. These flyers included texts such as: "For getting involved with foolishness in society . . . tomorrow will be the day you disappear from this world." Based on this threat, PBI activated its Support Network (RdA) inside Guatemala. On March 20, 2007, the AGAAI office was broken into and ransacked by unknown individuals who took only documentation and a small box. The association denounced that this serious incident represents, given its characteristics, a clear act of intimidation against the workers and members of AGAAI for their work in support and accompaniment of Indigenous Mayors and Authorities that struggle for the protection of mother earth. Based on these events, a denunciation was submitted to the Human Rights Ombudsman's Office.*

**Women's Sector.** We began accompaniment in June 2006, following various break-ins at the office. Several months later, their security situation improved sufficiently so that we could change from accompaniment to follow up. In October, we continued contact with the organisation's members through visits and phone calls to their office.

*Background: The Women's Sector is a coordinator of associations that work for women's economic development and struggle against violence against them, denouncing impunity and femicide. In less than 10 days, between the end of May and the beginning of June 2006, the headquarters of the Women's Sector were broken into twice. The first time the intruders stole telephones and money and smeared blood on the walls; the second time they destroyed furniture, searched through files and left a bloody piece of glass on one of the desks. The Sector denounced these acts which it considers intimidation and later they were provided police protection..*

**National Coordinating Body for Settlers of Marginalised Areas (CONAPAMG).** In particular, we accompany **Roly Escobar**, CONAPAMG's General Coordinator, after he received a death threat on September 10, 2006, for which we activated our Support Network. Though we continue to be concerned for the families that live in precarious settlements subject to the risk of floods and landslides, the security situation for the CONAPAMG members improved this year prompting the decision to reduce the level of physical accompaniment toward the end of October. We continue to be attentive and maintain contact periodically.

*Background: CONAPAMG works on the issues of housing access, social infrastructure, and the legalisation of occupied land. We have accompanied CONAPAMG since July 2004 when its office was broken into and lists, invoices, floppy discs and money stolen. Many of the communities affiliated with CONAPAMG have either been evicted or are awaiting eviction. The security situation of CONAPAMG continues to be vulnerable. Miguel Zapeta González, resident of the community Esquipulas in Zone 21 of the capital and member of the organisation, was murdered in March 2005. On 18<sup>th</sup> August 2006, Carmen Sagastume, another member of the organisation, was brutally murdered in the Carmen del Monte Community. Following this, on the morning of September 10, General Coordinator Roly Escobar Ochoa was informed that armed individuals in the community Carmen del Monte were threatening to kill him, supposedly because of his denunciation of the murder of Carmen Sagastume. During the following weeks he and his family suffered threatening surveillance. Roly Escobar also been the subject of defamations against him in the media.*

## 2.5 OBSERVATION

PBI in Guatemala provides international observation of those public events in which Guatemalan social organizations require it in order to demonstrate international attention and interest and to communicate outside the country what we observe.

From October 7 – 10, in the capacity of international observers, we attended different activities of the Third Social Forum of the Americas (FSA) held in Guatemala City. Some of those we accompany participated, presenting panels on various themes, including mining, hydroelectric dams, biofuels, transnationals, collective memory, justice and militarisation of the country, as well as the situations of indigenous peoples and women. On October 12, we observed the closing march of the FSA and the celebration of the Day of Resistance with the participation of 7,000 people in the main streets of the capital to the Central Park, where they continued their political and cultural activities. That same day, we observed a sit-in organized by UVOC in Cobán, Alta Verapaz to commemorate the Day of Peoples in Resistance in which 400 people participated.

On October 20, we observed the march for Day of the Revolution in the capital, organised by various social and labour organisations to commemorate the 1944 Revolution that started a process of democratisation of the country until it was overthrown ten years later by a military operation with the support and participation of U.S. intelligence agencies.

On October 25, we were present in the process of organisation and information for a consultation in the municipality of Cuilco, Huehuetenango, where nearly 130 communities made statements about mining activities in the region. At the time of going to press, the results from the consultation had not been made available.

### 3. PBI-GUATEMALA ACTIVITIES – OUTSIDE GUATEMALA

Regional Representatives, the project's Coordination Office in Madrid, other committee members and the project office, as well as PBI national groups, carried out public relations campaigns with numerous NGO's, agencies, national governments, parliamentarians, etc. These meetings translate into development and strengthening of a "Network of Support" for the project, an essential tool for the operation of international presence of PBI in Guatemala.

On October 7, Estefanía Sarmiento, member of the project's Coordinator Committee, participated as part the OASIS tour of Europe in the following activities in Lyon: a meeting with Véronique Rouault, executive director of the Agir Organisation for the rights of man; a meeting with Jérôme Maleski, parliamentary assistant to member of the European Parliament (MEP), Martine Roure; and a general open debate in Lyon organised with the support of the "Chrysalide" Association in support of transsexuals.

Kerstin Reemtsma, European representative of the project, held a meeting on October 13 in Bonn with Nico Schützhofer, head of cooperation, and Reinhard Tittel-Gronfeld, division chief of Regional Development Policy, for Central America, the Caribbean and Mexico of the German Ministry of Cooperation. On October 14, as part of the OASIS tour, she, Jorge López and Zulma Robles held meetings in Brussels with Raúl Romeva, Spanish MEP for the Greens Group, and vice-president of the European Parliament's Central American delegation, and Gaby Küppers, assistant to the Greens faction of the European Parliament, as well as Peter Liese, German Christian-Democrat MEP and also member of the Central American delegation of the European Parliament. On October 23, she participated in a meeting with the CIFCA Guatemala Working Group, as well as attending the General Assembly of CIFCA in Brussels on the 23<sup>rd</sup> and 24<sup>th</sup>.

In addition, Montse García, Project Coordinator, along with Jorge López and Zulma Robles of OASIS, held meetings on October 9 and 10 in Madrid with Gabriel Alou Forner, general adjunct subdirector of Mexico, Central America, and the Caribbean of the General Administration of Foreign Policy for Iberoamerica of the Ministry of Foreign Affairs and of Spanish Cooperation; with Pedro Zerolo, Secretariat of Social Movements and Relations with NGO's; and Miguel Angel Fernández, Coordinator of the Secretariat of the ruling PSOE party. They also had meetings with Amnesty International staff, with the Triangle Foundation and the State Federation of Lesbians, Gays, Transsexuals and Bisexuals (FELGTB).

### 4. NON-GOVERNMENTAL ORGANISATIONS

In this section we publish several communiqués (some abbreviated) from human rights organisations in which they express their concerns regarding recent events.

#### V. RONDA DE NEGOCIACION DEL ACUERDO DE ASOCIACION UE-CA: UNA REUNION DE TRÁMITE

Las políticas comerciales y los tratados de libre comercio definitivamente responden a un modelo depredador y excluyente que beneficia a los sectores tradicionalmente poderosos.

El Acuerdo de Asociación Unión Europea-Centro América (AdA UE-CA), se está negociando regionalmente en condiciones que muestran asimetrías abismales: La Unión Europea tiene una extensión de 3.976.372 Km<sup>2</sup>, Centro América 500.201 Km<sup>2</sup>; la población europea se acerca a los 500 millones de habitantes, mientras que Centro América alcanza 37 millones; las exportaciones europeas se aproximan a USD1.318.000 millones, en tanto las exportaciones centroamericanas alcanzan los USD14.410,7 millones. Por otro lado, según el Informe de Competitividad Global del Foro Económico Mundial, Guatemala se ubica en el puesto 84 de 134 países, y en el penúltimo lugar de los países centroamericanos. En ese marco, es imposible que los sectores sociales y populares nos quedemos callados.

Al finalizar la V Ronda de Negociación, se vuelve a evidenciar lo siguiente:

1. Ausencia de información oportuna y fluida sobre el proceso
2. La consulta real y la inclusión de amplios sectores sociales en la negociación, no es una prioridad
3. La ausencia de los pequeños productores del campo fue notoria
4. La Directiva de Retorno no se ha discutido seriamente, dejando en condición de vulnerabilidad a las y los migrantes centroamericanos en Europa
5. Los esfuerzos de los equipos negociadores giran alrededor del Pilar Comercial, por lo que los Pilares de Diálogo Político y de Cooperación siguen sin avances sustanciales  
Demandamos a los Equipos Negociadores, por lo tanto:
  1. Redefinir, para las Rondas pendientes, mecanismos reales de consulta a todos los actores sociales organizados, no sólo a las cúpulas empresariales vinculadas a los mecanismos de negociación
  2. El Diálogo Político debe fortalecer el marco jurídico de los Derechos Humanos, la institucionalidad democrática y un Estado de Derecho, entre otros
  3. La Cooperación debe apuntalar al Desarrollo Humano Integral y no sólo a tecnificar procesos económicos y a solucionar la falta de capacidad del Estado, en detrimento de procesos de participación social y combate a la pobreza
  4. El cumplimiento de los Acuerdos de Paz como marco orientador de las negociaciones de los tres pilares (Comercio, Diálogo Político y Cooperación)

Guatemala, 11 de octubre de 2008

Foro de Organizaciones Internacionales (FONGI)

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### **Por el medio les comunicamos la situación de las y los trabajadores de CHOI y SHIM Ltd.**

El 18 de julio del 2008 la planta de CHOI y SHIM Ltd. cerró y no dejaron mas entrar a las trabajadoras. La empresa no tenía un orden judicial de cierre, por lo cual tenían que entregar pruebas de falta de recursos económicos/quiebra, lo que no hicieron. Entonces el cierre es ilegal. El sindicato lo denunció a la inspección de trabajo. Ahí se estableció un acta, que permite a las trabajadoras de entrar y salir de la maquila y al sindicato de organizar a la gente para salvaguardar los bienes de la empresa afín asegurarse que esa va a pagar lo que debe, y, como reivindicación inicial, se reabrirá la maquila. Igualmente se violó el pacto colectivo (entre sindicato y empresa), que dice que no se pueden despedir más que 10 personas de una vez, ahí se sacaron todas de una vez. No se respetaron tampoco las indemnizaciones para enfermas o mujeres embarazadas.

La semana pasada la empresa con sus acciones de presión colocó rótulos en las estafetas para decir que si no recibían, pues no era culpa de ellos. De este modo logra que las y los trabajadores acepten recibir la liquidación supuesta de un 100% bajo el salario mínimo, el cual es completamente ilegal.

La aceptación de debió a la desesperación económica de la mayoría y por lo mismo el sindicato cree que fue completamente injusto; no así miembros del sindicato continuaran haciendo presencia permanente, para esperar y conseguir reacciones de las marcas reconocidas recordándoles que aun llevamos un



proceso al cual la empresa se ha inclinado aparentar arreglos, a los que seguiremos sus reclamaciones según las leyes de nuestro país.

También no queda en la duda de informarles que el día de hoy, martes 21 de octubre, a las dos de la tarde con 30 minutos la gerencia trato de intimidar haciendo amenazas de denuncias penales a las trabajadoras y trabajadores que ya recibieron sus indemnizaciones; por que aun están apoyando voluntariamente al comité que seguirá con la presencia permanente hasta obtener un arreglo de recontractación, salarios caídos y/o reajuste.

Los que se encargaron de intimidar fueron los licenciados de la empresa, el señor Hyu, coreano y gerente general y Daniel Kim, gerente de recursos humanos.

Atentamente Gilda Tecun  
Sec. General Sitrachoi

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### **URGENTE APOYO PARA AEU/USAC CENTRO UNIVERSITARIO PETEN QUE RECIBEN AMENAZAS POR DENUNCIAS RELLENO LAGO PETEN ITZA**

Hasta ahora tenemos un mes y dos días de tener este tormento de persecución política (amenazas de muerte, difamación, calumnia, prevaciad de nuestra libertad y expresión, miedo a salir a las calles y todo lo que a una injusticia se refiera) por parte de un diputado de Guatemala, que por el puesto político y dinero que tiene abusa de poder y hace lo que quiere en Guatemala. Necesitamos la ayuda nacional, internacional y organizaciones que velan por el bienestar de los estudiantes.

#### **EL PROBLEMA SUCEDIÓ ASI:**

El pasado 15 de septiembre salió una publicación a nivel nacional en la que se denuncia el relleno exagerado sobre el lago Petén Itzá. En años anteriores ya habíamos interpuesto denuncias, esas por cuestiones burocráticas se estancaron y no procedieron, pero desde ese momento se ha llevado a cabo una represión en contra de toda la Asociación de Estudiantes Universitarios. Causa de ello es que el compañero Carlos Gregorio Caal Morán esta en prisión acusado de extorsionar a la empresa del Dr. Manuel Antonio Baldizón Mendez, Diputado de Guatemala en el Congreso. Supuestamente dicen que Carlos les pedía (Q 180,000.00) de dinero para que la universidad no protestara contra el megarelleno sobre el lago, ahora que esta en prisión nos enteramos que la juez de Primera Instancia Penal Soria Toledo recibió llamadas de teléfono del mismo Baldizón para presionar y dejar a Carlos en la cárcel y no dejarlo salir y negándole la medida sustitutiva. El problema ahora es que Carlos en su declaración dijo que la asociación no tiene nada que ver con lo que a él lo acusan, cosa que es bien cierta!!! Nosotros por el pánico y miedo fuimos a los tribunales a presentarnos y también a declarar en contra de Manuel Baldizón dijimos que esto es un plan para involucrar a la asociación en actos que jamás hacemos. Desde ese instante se desato una guerra contra nosotros de parte de él y su gente. Accedimos a negociar con Baldizón y sus manipulados y nos dijeron que no había problemas que ellos no actuarían contra nosotros y que únicamente tendríamos que hacer un documento aclarando públicamente que nosotros no estamos peleando contra ellos para nada, y a cambio de esto ellos quitarían todas las denuncias en contra de la asociación y que quitarían toda la represión política, guerra psicológica y persecución estudiantil contra nosotros. El día de 23 de octubre fue aprendido de manera ilegal al compañero Elmer Tún y existen mas ordenes de captura y de cateo en contra de todos los integrantes de la AEU-Petén. La AEU-Peten ha luchado siempre por el pueblo y los estudiantes y siempre ha sido luchadora por lo justo.

Nosotros denunciamos al pueblo petenero y todo Guatemala la injusticia que este señor esta haciendo en contra de los integrantes de AEU y que ahora están violando nuestros derechos puesto que nos acusan de ser extorsionadores, nos amenazan de muerte, no intimidan, nos acosan, nos difaman en los medios de comunicación radial y televisiva de Peten, nos tachan de ladrones y nos privan de nuestra libertad por el miedo de salir y ser presa para ellos, inventarse un delito y meternos a la cárcel. Todo esto nos esta afectando psicológicamente, moralmente, profesionalmente, personalmente y ante todo la inestabilidad mental en nosotros y la incertidumbre que viven nuestros familiares.

Ante todo lo expuesto solicitamos de parte de ustedes compañeros:

1. Apoyo para poder sacar un comunicado a nivel nacional en los periódicos aclarando la situación de la AEU-Petén y hacer que todo el país se entere de esto, como es posible que condecoren a nuestro máximo líder estudiantil Oliverio Castañeda y que por detrás sigan la persecución hacia líderes estudiantiles.

2. Solicitamos todo su apoyo posible para que nos ayuden a buscar refugio en alguna embajada amiga y por ende que nos permitan salir del país, pues tenemos miedo de transitar por carretera y que nos pueda pasar algo.

3. Les pedimos que por parte de rectoría intervengan ante las instancias de alto nivel para pedir que retiren completamente todos los cargos contra Carlos Caal y todos los miembros de AEU-Petén y líderes y miembros estudiantiles en general y que sea inmediatamente.

4. Pedimos que a través de la Corte Suprema de Justicia soliciten que destituyan al señor Manuel Baldizón de su cargo por corrupto e injusto y sea procesado e investigado judicialmente cumpliendo con el estado de derecho guatemalteco así mismo hacerle el mismo proceso a sus ligados y cómplices como Pablo Yanes supuesto empleado de Baldizón en el relleno del Lago Petén Itzá.

Gracias.

At. AEU-PETEN, 28 de octubre del 2008

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Helen Leiva, Asociación Tan Ux'íl

Isla de Flores, Petén – Tel. (502) 7867 5235 / Cel. 5453 9694

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